

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON

GARY SWIM,

Plaintiff,

Case No. 3:21-cv-02

vs.

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

District Judge Michael J. Newman
Magistrate Judge Sharon L. Ovington

ORDER: (1) GRANTING PLAINTIFF'S MOTION FOR AN AWARD OF ATTORNEY'S FEES UNDER THE EQUAL ACCESS TO JUSTICE ACT ("EAJA") (DOC. NO. 14) AND (2) AWARDING PLAINTIFF \$4,200 IN EAJA FEES

This Social Security disability benefits appeal is before the Court on Plaintiff's request for attorney's fees under the Equal Access to Justice Act ("EAJA"), 28 U.S.C. § 2412(d), in the amount of \$4,200. Doc. No. 14. The parties do not dispute that all requirements are met for a reasonable award of EAJA fees. *Id.* Therefore, the Court: (1) **GRANTS** the joint motion (Doc. No. 14) and (2) **AWARDS** Plaintiff EAJA fees in the amount of \$4,200. Counsel for the parties shall verify whether Plaintiff owes a preexisting debt to the United States subject to offset, consistent with *Astrue v. Ratliff*, 560 U.S. 586 (2010). If no such pre-existing debt exists, Defendant shall pay the EAJA award directly to Plaintiff's counsel pursuant to the EAJA assignment signed by Plaintiff and counsel. No further matters require review in this case; accordingly, it remains **TERMINATED** upon the Court's docket.

IT IS SO ORDERED.

Date: 02/14/2022

s/ Michael J. Newman
Hon. Michael J. Newman
United States District Judge